

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

STATE OF TEXAS,
STATE OF MISSOURI,

Plaintiffs,

V.

JOSEPH R. BIDEN, JR.,
in his official capacity as
President of the United States, *et al.*,

Defendants.

Civil Action No. 2:21-cv-00067-Z

UNOPPOSED MOTION FOR 45-DAY EXTENSION
OF DEADLINE TO RESPOND TO THE COMPLAINT

Defendants respectfully move for a 45-day extension of the deadline to answer or otherwise respond to the Second Amended Complaint. Plaintiffs consent to this extension.

The Court previously entered an order that stayed Defendants' deadline to respond to the Second Amended Complaint until after the Court resolved Plaintiffs' motion to postpone. ECF No. 155. Following the Court's ruling on the motion to postpone, the Court granted Defendants' unopposed request to extend the answer deadline to March 30, 2023. ECF No. 186.

The government is currently evaluating whether to appeal the Court's decision on the motion to postpone. The decision whether to appeal must ultimately be made by the Solicitor General. *See* 28 C.F.R. § 0.20(b). The Solicitor General has not yet made a decision regarding whether to appeal and will not reach a decision before Defendants' current answer deadline. Because the Solicitor General requires more time to reach a decision, and because a decision to appeal may affect the course of the litigation in this Court, the government respectfully requests

an extension to allow this process to conclude before responding to the Second Amended Complaint.

Accordingly, Defendants request that the Court grant this unopposed motion to extend the deadline to answer or otherwise respond to the complaint to May 15, 2023.

Dated: March 22, 2023

Respectfully submitted,

CHAD E. MEACHAM
United States Attorney

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIAN W. STOLTZ
Assistant United States Attorney

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

EREZ REUVENI
Assistant Director

JOSEPH A. DARROW
Trial Attorney

/s/ Brian C. Ward
BRIAN C. WARD
Senior Litigation Counsel
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel.: (202) 616-9121
Email: brian.c.ward@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2023, I electronically filed this motion with the Clerk of the Court for the United States District Court for the Northern District of Texas by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

/s/ Brian C. Ward
BRIAN C. WARD
U.S. Department of Justice